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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/625,165 | 07/23/2003 | Takehiko Murakami | UPS-26 | 5201 |
| 23593 | 7590 | 04/29/2004 | EXAMINER | |
| ZITO TLP 26005 RIDGE ROAD SUITE 203 DAMASCUS, MD 20872 | | | EVANISKO, LESLIE J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2854 | |

DATE MAILED: 04/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------|---------------------------------|--|
| Office Action Summary | Application No. 10/625,165 | Applicant(s) MURAKAMI ET AL. | |
| | Examiner Leslie J. Evanisko | Art Unit 2854 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2 and 3 is/are pending in the application.
 4a) Of the above claim(s) 3 is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☐ Claim(s) _____ is/are rejected.
 7) ☒ Claim(s) 2 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/067,437.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

EX-PARTE QUAYLE ACTION

1. This application is in condition for allowance except for the following formal matters:

Information Disclosure Statement

2. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Election/Restrictions

3. Applicant's election without traverse of Invention I, claim 2 in the response to the election requirement received March 8, 2004 is acknowledged.

4. Claim 3 has been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the response received March 8, 2004.

Priority

5. It is noted that applicant has amended the specification to include a reference to the earlier filed application on which applicant is claiming priority under 35 USC 120. However, the status of nonprovisional parent application(s) (whether patented or abandoned) should also be included. If a parent application has become a patent, the expression "now Patent No. ____" should follow the filing date of the parent application. If a parent application has become abandoned, the expression "now abandoned" should follow the filing date of the parent application.

Drawings

6. The replacement sheets of drawings for Figures 11(a)-11(d) and Figure 12 submitted with the preliminary amendment were received on July 23, 2003. These drawings, along with the other originally filed drawing sheets of Figures 1-10, are approved by the Examiner.

Claim Objections

7. Claim 2 is objected to because of the following informalities:

With respect to claim 2, it is noted that the claim is drawn to a screen printing apparatus but then goes on to recite only a plurality of method steps. Therefore, it appears from the body of the claim that applicant is intending to recite a process of screen printing and not an apparatus as stated in the

preamble. To correct this inconsistency in the claim language, it is suggested that the term "apparatus" in line 1 be deleted and replaced with --process-- or similar language. In an effort to advance prosecution, the Examiner has assumed that applicant is intending to claim a screen printing process comprising the steps as recited.

Additionally, it is suggested that the term "on" in line 2 of claim 2 be deleted and replaced with --from-- since the current language is awkward and somewhat misleading, since it appears from the disclosure that printing paste is printed from (or through) a screen printing plate onto a substrate.

Also, as the claim is currently written, there is no clear connection between the squeegee, screen printing plate, printing paste supply port, and container structure, making the claim language awkward and somewhat confusing as to how these structures are related. Therefore it is suggested that the phrase --to the screen printing plate through the printing paste supply port-- be inserted after "paste" in line 7 to provide a connection between the structures in the recited steps and make the claim language more clear.

Also, the printing step in lines 11-12 is awkward and also has several instances of language not having proper antecedent basis. For example, the term "the hard thin plate side" has no proper antecedent basis since "the hard thin plate" has not yet been recited and no "side" of the squeegee was previously recited. Additionally, the term "the elastic squeegee" has no proper antecedent basis since the squeegee was never previously recited as being

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“elastic”. Additionally, it is not exactly clear from the claim language how the “printing” is performed with the squeegee. To correct these problems, it is suggested that step be added after “comprising” in line 3 that includes language such as the following: --a step of providing a squeegee having a front surface integrally formed by a hard thin plate-- and the printing step be amended to read: --a step of printing with a hard thin plate side of the squeegee by moving the squeegee in the predetermined direction along the screen printing plate--.

Finally, lines 13-14 are also awkward in that it is not necessarily clear, particularly with respect to the fact that the paste applicant is referring to as being scraped up is the paste remaining on the screen printing plate after the printing step. Therefore, it is suggested that lines 13-14 be amended to read: -a step of scraping up any paste remaining on the screen printing plate after the printing step using a scraper, whereby the printing process is carried out by repeating these steps.--

Appropriate correction and/or clarification is required.

Allowable Subject Matter

8. Claim 2 is objected to for the reasons set forth above, but would be allowable if rewritten to overcome these objections to the satisfaction of the Examiner.

9. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach or fairly suggest a screen printing process including all of the method steps as recited, in combination with and particularly including, the steps of moving the squeegee upward and downward to open and close the printing plate supply port through which the printing paste is supplied to the screen printing plate before printing is performed with the squeegee and the step of scraping up any remaining printing paste with a scraper after the printing step has been performed.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Murakami et al. (US 5,715,748), Murakami (US 2003/0033943 A1) and Abe et al. (US 2002/0053292 A1) each teach a screen printing process with a squeegee arrangement having obvious similarities to the claimed subject matter, although none of the references clearly teaches or renders obvious the specific screen printing process as recited.

11. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

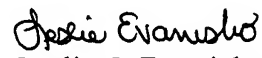
A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
April 24, 2004